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Kenya Research project by Robert M. Press [see: Press, Robert M. (2006) *Peaceful Resistance: Advancing Human Rights and Civil Liberties*. Aldershot, U. K.: Ashgate.]

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Interview conducted by Robert M. Press (bob.press@usm.edu; press.bob@gmail.com)

Interviewee: Raila Odinga

Location of interview: Nairobi, Kenya

Date of interviews: October 30, 2002

Transcription by Press includes research notations by the interviewer in brackets or parentheses; some emphasis is added in bold or underlined. Double ?? indicates unclear transcription, spelling or unverified point. BP= interviewer Bob Press; RO = Interviewee: Raila Odinga.

Background information. Raila Odinga, son of the late Oginga Odinga, first Vice President of Kenya, was a political detainee from 1983 to 1988 during the regime of Daniel arap Moi. Released in 1988, after six months he was detained again for a year. He later joined the ruling party to, in his words in this interview, “democratize” or “destroy” it. In 2002 he campaigned for Mwai Kibaki in the Presidential elections in which key opposition politicians united behind Kibaki, who won, handing the ruling party of Moi its first defeat since Independence. After leading in early counting in the presidential race in 2007, he was defeated by Kibaki in a disputed election. Following a wave of violence that engulfed many parts of Kenya, taking hundreds of lives, Kenyan peace negotiations with the help of former United Nations Secretary General Kofi Anan, resulted in a coalition government in which Odinga became Prime Minister.

He arrived about three hours late for the interview, fresh from campaigning for the unity opposition ticket.

BP What were the things you did as an individual first perhaps then later as an organizational person to try to promote human rights in Kenya – mentioning the years. I have some information about you.

RO You mean about my whole life?

BP No, maybe we could look at 87 to 97.

RO Right. In 1987 I was in detention; my detention having started way back in 1982 when I was arrested following the coup attempt of August of that year, and tried for treason and then the prison charges were dropped for lack of evidence. But I was sent into political detention without trial from 1983 up to 1988 in February. I was released in February 1988 at a time when elections were also being conducted.

BP Why were you arrested and tried for treason? I mean that was because of some of your underground activities at that time and you were being blamed?

RO Well, you know that before the coup, we were trying to form a political party. By that time it was still legal to form a political party. But when the government realized we were about to form a political

party, they moved fast to Parliament and introduced a bill that was discussed in a record one hour and went through all the stages. This is the famous Section 2A. This is the law, the constitutional amendment that made the country a de jure single party that put to rest our efforts to form a political party.

[Jump to 1 party law sparks '82 coup]

One can say that it is that act that eventually precipitated this military - I mean the attempt to change the government because all the avenues for peaceful change were closed by that constitutional amendment. And nothing else would now happen. But we kept on agitating underground for reforms, for opening up the democratic space. When this coup thing happened, the government was looking for all the civilians which [unclear] to deal with it. So we were arrested, a number of people were arrested. Some of them were lecturers at the University of Nairobi, like Professor Edward Akgongo [spelling g??]. Professor Mutema, Mr. – he lives in Canada; Koigi Wamwere; [Professor Anyang' Nyong'o'] stayed out. There was George Anyona who was arrested at the time. Quite a number was arrested. I myself, along with others, was charged with treason. We spent six months in prison remand, police remand, prison remand. Then the government, apparently for lack of evidence, withdrew the charges, entered a nolle [??] prosecute. But then immediately, within the precincts of the court we were re-arrested. And then later on they served me with detention orders. I was in several detention camps. I was moved from Kamiti to [names several other prisons]

BP As far as I remember, you were not tortured.

[Tortured]

RO I'd been tortured a lot before I was finally detained.

BP In the remand period.

RO In the remand period. When I was arrested I took six weeks in police custody before I was charged. In those six weeks I was taken to various police cells where I was severely tortured. I was tortured during the interrogation, physically tortured, in order that I could make a confession. I was being interrogated by the Special Branch officers and I was physically beaten up...they would stand, they would make me remove all my clothes and step on my tummy, step on my genitals. One time they took a pistol and put it in my mouth ...as if they were going to shoot, then they put me in the cells which were fairly dirty. Finally I was taken to the real torture chambers, before the construction of [torture chambers in] Nyayo House [where much of the torture of the late 1980s and early 1990s took place.], the Matangali [spelling??] police station in Nairobi where they sealed the doors with rubber and put water inside and sealed the doors. And therefore it was wet the whole night. That place is very cold at night, so you'd be shivering the whole night. I spent three days there. That is where I met the late Tito Ngosi [spelling??]. He was a student leader. He had also been arrested because he had led the students to demonstrate following the coup attempt.

So then I was transferred from this police cell to GSU [General Services Unit, a paramilitary force that the President used to quell demonstrations] in Ruaraka [??]. There I was interrogated by the head of the GSU... We were thoroughly beaten up, a real physical beating up by the GSU; they tried to extract a confession.

BP I'm glad you clarified that; I didn't realize all those details.

RO So that was before we were charged. Then finally we were charged and I was taken to prison remand...we were still just suspects. And the law says you are considered to be innocent until proven guilty by a court. Yet we were denied our human rights in prison. First they were segregated, what we call the capital remands.

[TACTICS: public protest planned]

BP 1988 and onward, what were the specific steps you took towards trying to promote human rights, perhaps in a multi-party context, or however you want to frame it.

RO First, I spent a very short time in freedom, only six months. I was back in detention again. This time we were again just agitating for change, for repeal of Section 2A.

BP How were you agitating?

RO We got a number of people and we were organizing protest, to do protest marching in Nairobi.

BP Did it occur?

RO It never occurred because the thing was nipped in the bud by police and we were arrested and then sent to detention.

BP For how long that time?

RO One year. We came out in '89. And in '89 I teamed up with Honorable Kenneth Matiba , Charles Rubia. We were agitating now, openly, for re-introduction of multi-partyism – in '89.

BP A whole year before it ever got off the ground. In what form did that agitation take place. Was it street demonstrations, public speeches, attempted rallies?

RO ...a statement was made in 1990 that the time had come for the country to go back to multi-partyism.

BP That was Matiba and Rubia's press conference of May 1990.

RO Yes, May '90.

BP Did you have a role in trying to organize that effort?

RO Yes, very much. I was the one who was in back of it. Remember Matiba and Rubia were already bitter because they had been rigged out in the KANU elections [of 1988?]. And of course I myself had been involved in this thing for a long time, for a long time. And they organized this press conference in Nairobi to say the time had come. I am the one back of it all.

BP In what way? I don't know exactly how that got started. That process.

RO They were bitter at the rigging. And they didn't know what to do and [unclear] said the best thing for them to do is come out openly, then we join them in organizing some protests. So they were unhappy and made the statement. And when they made the statement, the response for the government was to condemn them and to isolate them as tribalists [they were both Kikuyu] and there were rallies arranged all over the country to condemn them.

BP One particular point I'm not clear on is whether – I had the impression the two of them had tried to get other people to step forward also. You didn't go public at that time. Do you feel that that was not a good strategy for you to go public at that time?

[TACTIC: protest leaders rally members of their professional or recreational 'group' to public protest]

RO We were going to go public and the way we were going to go public was to organize for this rally at Kamakunji [an open field at the edge of downtown Nairobi which was a traditional venue for political rallies]– the Saba Saba [rally of July 7, 1990, which police blocked along with arresting the principal organizers including Matiba and Rubia]. So I was very much involved in organizing Saba Saba. We were using - in those days there were no proper structures for organizing protests. Mr. Matiba had contact with matatu [minibus taxis] operators which he said he would mobilize [them]. And I had the football...fans of Gor Mai [a popular local team] which I could use. We agreed that he would mobilize the matatu touts [fare collectors] and drivers and I would organize the fans, my link there, so that we take them to Kamakunji [the intended rally site].

BP What was your link to the football fans?

RO I have been involved in football administration for a long time...

[He had been a member of one football club, a secretary of their organization, a coach and trainer. Matiba's links to Matatu drivers is less clear except that Matiba told me that when he was a Cabinet member he approved the first commercial matatu drivers – and kept an emotional link to them, as seen in his brief tirade against an illegally parked matatu driver whom he jumped out of his chauffeured car to chastise, much to the chagrin of the otherwise potentially cocky driver, who begged his forgiveness when he saw who it was before him].

BP So a tactic there in mobilizing: you identify a group that you are credible with and you select a site and you select a date.

RO Yes, exactly...so because of this [his association with the football players and fans] I had a lot of contacts. So we were now organizing this Saba Saba jointly. And I also arranged for Matiba to meet with my father [Oginga Odinga, Kenya's first Vice President and a then long-time opponent to the Moi regime and a leader of the opposition] ...They had a meeting with him and Rubia. And then he [his father] spoke strongly in support of Matiba and Rubia. And that was when we were trying to protect them from political persecution.

But then what happened before the Saba Saba took place, which was supposed to be the 7th of July [1990], we were arrested on the 4th; Matiba and Rubia were arrested on the 4th; I was arrested on the 5th.

BP With [John] Khaminwa and [Gitobu] Imanyara, Ibrahim. Almost [Gibson Kamau] Kuria.

RO But those never stayed [in prison]; they were released immediately.

BP You were not.

RO No, I spent another one year [locked up] with Matiba and Rubia. Matiba and Rubia again were released ahead of me because they were sick. Rubia had to undergo an operation. Matiba had suffered a stroke. So I became the last political detainee to be released.

BP That's an honor you were not seeking.

RO I was not seeking [it]; it was by default. Then we decided this time around to start – FORD (Forum for the Restoration of Democracy). FORD. FORD went – my ...father and others had started NDP, National Democratic Party.

BP What was your role in the formation of FORD. Did you have anything to do with that?

[Origins?? Of FORD: An American diplomat's suggestion]

RO I was really the person who formed it. If there's anybody who you can say formed it I – as a result of a conversation with an American diplomat who was here. He said ...if the democratic forces in the country could come together and organize themselves in some kind of group, it would be easier to support them.

BP I had heard that that was a conversation. Do you remember the name of that American diplomat?

RO Alan Eastham [spelling??] He was at the political desk at the Embassy in 1991. I met him in June of 91.

BP So you didn't waste any time.

RO I didn't waste any time [in forming FORD]

BP Did you ask Shikuku and the others to come together.

RO He's the one who told me: I saw you the other day greeting Shikuku, hugging each other, and it seemed to me you had not met each other since you came out of detention. I said, yes. He said what about getting together and forming a joint organization. At first Shikuku was reluctant when I approached him. He finally agreed that Muliro [unclear??] and my father – the idea of putting older people in the forefront was: it was more difficult for them to be arrested.

BP Was that a strategy

RO That was. And the reason why we aimed at six [original members of FORD: the law required government authorization for any group more than nine; Shikuku explained they had intended to bring together nine prominent, senior politicians to form FORD but three could not be recruited in time (confirm who). We were the Young Turks behind the movement. So I managed then to get [James] Orengo and [Paul] Muita, and [Peter] Anyang' Nyong'o. So then we moved on with FORD.

BP You got Muite and Orengo and Imanyara?

RO Imanyara.

BP To do what?

RO To join.

BP Not as the original six but later?.

RO No, we were the ones after I talked to Alan Eastham. Then I arranged a meeting with Orengo and Eastham. Then thereafter we brought in Anyang [Nyong'o]; and then we brought Muite. My father was, of course, all the time briefed about this. Then now we decided when the whole idea was clearer, to bring in the other people...shop around for them, convince them. When this thing was now...FORD, we went and launched it formally at Chester House [the building where many foreign journalists had offices].

BP If you were to look at the tactics which you used between '92 and '97 – not much happened after multi-party [first election in 1992]; there wasn't much advancement [of human rights] after multi-party before '97 [election], then you had the mass demonstrations.

RO This [the formation of FORD] was now 1991. When we were now, again, trying to go back to Kamakunji [site of the thwarted rally] in '91, there was a lot of pressure. And I was informed by this same fellow, Allan Eastham that they [the state] were after me because they thought I was the brain behind FORD. This time around they were not going to detain me, they would harm me. So it was advisable for me to leave the country...They sent a policeman to look for me; they came to my office, they came to my house. I went underground...

BP In November [1991], just before Kamakunji.

[CHAIN of events]

RO Yes. And I was taken out by the Catholic priest and nun, smuggling me out of here [Nairobi] to the Western part of the country. Then using the boats, I crossed into Uganda. From there I went into exile [in] Norway. I was in Norway, I went in October, I came back in February. [But?? Wasn't he arrested just before the Nov. 16 Kamakunji; verify]

[Best Tactic: Mass movement]

BP Which tactics – this is the heart of this study – which tactics move an authoritarian government to make concessions on human rights?

RO Mass movement.

BP Is that the number one key.

RO It is critical, yes. Mass action. ...demonstrations, protests, marches. The international pressure, particularly the donor pressure [in 1991] And the diplomatic pressure of Hempstone.

[Donor/ Diplomatic pressure helped “a lot”]

BP Did Hempstone help?.

RO *A Lot.* (his strong emphasis). Hempstone and Multzenberg [spelling??], the German Ambassador. They played a very, very important role because the system is amenable to that kind of pressure. Moi reacts more to the diplomatic pressure.

BP That was my other question, what does Moi react to? An authoritarian leader such as Moi, what does he react to; what makes him move, make concessions?

RO If for example the donor community put their feet down, [especially] the British and the Americans...he will protest, but eventually he will cede ground.

BP You tried to work within the system – this goes beyond the study but its relevant today – you tried to work within the system for a while, in KANU, to democratize it. It didn’t work, did it?

RO It didn’t work.

BP Do you know why?

RO Because the forces of the – the retrogressive forces, I call them, the forces of the status quo are still too powerful [the interview took place during the last two months of the Moi Administration]. Basically these are people who are around Moi...

BP More than Moi himself

[TACTIC: Seek change from within by speaking out forcefully (see results below in the paragraph]

RO There are a few –Moi is basically the motive force. Then he is surrounded by his sycophants who basically see it as treason for anybody to challenge whatever Moi wants. Now the majority, of course, are people who want change, but they have been so suppressed that they are voiceless; they cannot speak. I say that my going there [into KANU] liberated them. [He has a point; while he was still in KANU, he openly challenged the President and his associates many times, seeking to democratize the presidential nomination process, for example, and many others began speaking out, eventually resulting in a split with the challengers dubbed the “Rainbow” coalition and later joining the opposition shortly before the 2002 election.]

They finally realized that they could also speak because they saw me stand up and challenge Moi openly in meetings and [others] finally realized it could be done.

BP You were the first to do that, I think.

180 (tape counter number)

RO They are very grateful to me for having liberated them [with animation] *psychologically* [his emphasis]. So eventually I stood up and told Moi ...you have just become a campaign manager for Uhuru Kenyatta, therefore you should delete yourself from [KANU] party management. Moi, of course, was very annoyed and disappointed, but they [those in KANU wishing to challenge Uhuru] took the cue

and went ahead and declared they were going to run. And this way we managed to get a lot of support from within KANU. Then I told him [Moi?]: look, there's no future for us inside KANU because if we stay in KANU we are basically going to [do] what Moi wants [a weak point, since he was not willing to do Moi's bidding and might have challenged the nomination; perhaps he felt he didn't have the support to win the presidential nomination himself]. And this is going to be a disservice. We are willing to come out [of KANU].

If we had not done this [sought to open up the party], KANU would have remained basically the monolith that it has been for a long time, intact.

BP Is that why you joined KANU?

[TACTIC: seek change from within or destruction from within. It worked, he says]

RO Yes. **My main purpose of joining KANU was to try to change it from within; if not, then to destroy it from within. I think we have achieved our objectives.**

BP You are running for an office that does not exist [Prime Minister, a post envisioned under a new constitution if the opposition won; but after the opposition won, a new constitution was not proposed until a referendum in 2005 when it was defeated]; does that bother you?

RO It doesn't bother me at all. **I consider my mission to have been accomplished if this [change of regime] is to rid this country of this corrupt and rotten dictatorial system and put in its place a system that respects the human rights of the people and be able to transform the economy, make it go again. A system where people are able to do business without having to pay handouts at every point, where children will be able to get quality education irrespective of their social background, where people when sick can get access to medical care; where the aged and disabled are cared for. You know, this is what I've been fighting for, a more humane system of government.**

So to say I'm running for a position that doesn't exist – I don't need positions. I am prepared to serve in any capacity. I'll say what I said the other day, that Moi was offering me a Prime Minister under Uhuru Kenyatta and I said I would rather be a sweeper on this [opposition] side or a clerk than a Prime Minister under that Project [Moi's campaign for Uhuru was dubbed by his opponents the Uhuru "Project."] because I would just be a slave. I do not see that Uhuru Kenyatta can deliver the change that is desired in this country surrounded as he is the system's people. No 1 is Gideon Moi [President Moi's son], no. two is Nicholas Biwott [named by Scotland Yard detective Troon as a prime suspect in the murder of Foreign Minister Robert Ouko in (year?)], No. 3 is Cyrus Jirongo [spelling; title] no. 4 is William Rutu [??].

BP It's not a good team

RO It's not a good team at all. Some of these people are the people who have created the looting of this country.

BP Do you think that your own role as an activist has helped to reduce the fear among average Kenyans to speak out and push for change?

*[Mental Shift; reducing fear through example of activism]

[*Overcoming a **CULTURE OF FEAR**]

RO *Yes* (his emphasis). I think that we have made a contribution in liberating the minds of the people of this country so that people now feel that they can stand up and speak their minds without fear that they are going to be punished for speaking. I think that we have contributed in opening up the democratic space which was very, very compressed because this **CULTURE OF FEAR** which has been instilled in the minds of people over a long period of time. You know – repeal of Section 2A [which had kept Kenya a one-party state] was just one thing. You see, the thing is, **for a long time people were living as if they were in a cage, in darkness**. The biggest thing in doing this [activism] is to really **unwind the minds of the people** to realize there is light again; but not only light – that they can stand up and walk again and speak again.

That, you know, the mental condition, takes a long time. Remember the slaves who were freed [unclear] in freedom [laughs]..[felt they were] better off in bondage [laughs] than going – they don't know what it feels like to be free. And this is what I saw in KANU [where some were now] going to run on the KANU ticket who do not believe in KANU. You can see those Ministers who are made to go and surround Uhuru Kenyatta. They don't like him at all; they don't like what they are doing. But A: they feel they have no choice. Somebody's being appointed Assistant Minister two weeks before the [adjournment] of Parliament, and he's accepting it. [laughs]

[How a peaceful resistance social movement begins]

BP So [against] the culture of fear the tactics that work are mass demonstrations, so you have – but how do you start a mass demonstration movement if people are still afraid. How do you first break through that fear barrier?

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[Process of change: when one road is blocked... “It's a process. Political chess game

RO You know, **it's a process**; it cannot happen overnight. When my father –and I were in detention – tried to register the NDP [National Democratic Party], it was refused registration. Then they went to court and when we went to court they were using the court to basically educate the people. Because you can't challenge the decision of the system. And he was accompanied by a few youths behind him. When the court ruled that – when eventually the judge delivered the ruling, because they were anticipating [the decision], these youths accompanied him and they were shouting: 'We want democracy.' And outside the court there, they took photographs. And if you go and dig and look at the *Weekly Review* issue...there's a difference...[you see] something is happening. That was basically **trying to educate the people, to free their minds... challenge the system**. Nobody believed the system could be challenged.

My father's idea was to try to appeal the ruling of the court, but I am the one who actually told him it was futile to try to appeal the ruling because the decision is already known. We would just be wasting money and time. I said let us look for something different. That's when Alan Easterman [??spelling; sounds different from earlier in tape] came to me with this idea of getting the opposition together.

So I'm saying, it's a process.

BP Why hasn't more been accomplished? There's no new constitution after '92, '97, 2000. Human rights activism seems to peak every election year and go dead between.

[TACTICS: seek democratic changes from within]

RO Ah, this time around there's a difference. Like when we went to KANU. We chose this issue of nomination rules in KANU to again sensitize the people. We made a big issue out of it. First, just democratizing KANU from within. I went in there to try to cripple [??] the structures because as a party, KANU has been relying very much on [choosing the party's presidential nominees] by acclamation... I tried to change all that.

[Overcoming fear – not of the public, but among party officials]

RO Then we used this issue of party nominations to show that in fact you can stand up and change things...by challenging the top boss of KANU [President Moi]. So that helped us to rally the people around this movement for change.

Institutionalizing protest

RO Then we created this **Rainbow Alliance**. Some of these people initially did not want to own up that they were part of Rainbow: Saitoti, Kilonzo and Mudavadi. It took a long time to sit with them, individually, tell them, you know, if you don't come together, we'll surely hang separately.

BP '92 and '97 are the examples [When President Moi won re-election against a divided opposition.]

RO Yeah. We must get together. I told them even the donors like to see their face: Saitoti, Kilonzo, Mudavadi, and Raila to contrast it with Uhuru, Jirongo, Biwott, Ruto [??]...So that's the reason we want this [unity of opposition leaders]. And I was telling them that if you do [unite] this will be able to get a lot of local support and also international support.

End of interview (on side one, tape one)